

### REMARKS

Claims 5, 6-8, 12-14, 22-23, 28 and 29 have been amended. Claims 15-21, 24, 25, 32, 33, 36 and 37 have been cancelled.

The Examiner has objected to the Title of the Invention as not descriptive of the invention. The Examiner has suggested that the title be amended to read --CAMERA WITH COMBINED FLASH ANGLE AND FOCUS MOTOR CONTROL--. Applicant has amended the title as suggested by the Examiner but has retained the words IMAGE PICKUP APPARATUS instead of using the term CAMERA to keep the language of the title consistent with the description in the specification. Applicant, therefore, submits that the Title of the Invention is now descriptive of the invention.

The Examiner has rejected applicant's claims 5-8, 12-15, 28, 29, 32, 33, 36 and 37 under 35 USC § 101 as claiming the same invention as that of claims 5-8 of prior U.S. Patent No. 6,788,345. With respect to applicant's claims, as amended, this rejection is respectfully traversed.

More particularly, applicant's independent claim 5 has been amended to recite "[a]n image pickup apparatus capable of picking up an image as a moving image, comprising: (A) a recording device which records at least a still image in a still image mode; (B) a first changing device which changes a focal length of an image forming optical system; (C) a second changing device which changes an illuminating angle of a flash device; and (D) a control device which controls said first changing device and said second changing device to change the illuminating angle of the flash device in accordance with the change in the focal length until a mode of said recording device is changed to the still image mode, and restrains said second

changing device from changing the illuminating angle of the flash device during the still image mode.

Independent claim 12 has similar amendments as claim 5, but the control device restrains said first changing device from changing the focal length of an image forming optical system during the still image mode. Claim 22 also has been amended like claim 5, but in claim 22 it is the illuminating direction of the flash device which is being changed. Amended claims 28 and 29 are method claims patterned after amended claims 5 and 22, respectively.

Applicant's amended claims thus require, in one form or another, a control device which controls said first changing device and said second changing device to change the illuminating angle or direction of the flash device in accordance with the change in focal length until a mode of said recording device is changed to the still image mode. Claims 1-5 of the '345 patent do not recite such a control device which controls to change the illuminating angle or direction of the flash device in accordance with the change in the focal length.

Applicant's amended independent claims 5, 12, 22, 28 and 29, and their respective dependent claims, are thus not coextensive with claims 1-5 of the '345 patent. Accordingly, withdrawal of the rejection based on double patenting is respectfully requested.

The Examiner has further rejected applicant's claims 5-8, 12-25, 28, 29, 32, 33, 36 and 37 under 35 USC § 102(b) as anticipated by the Yamada patent (U.S. Patent No. 4,881,128). With respect to applicant's claims, as amended, this rejection is respectfully traversed.

The Yamada patent discloses at Column 3, lines 26-34, "[t]hen the recording switch 22 is operated and, through the synchronizing circuit 21, the on-off circuit 19 is operated to effect energization of the lamp 17 while simultaneously effecting operation of the recorder to record

the video signal developed from the image of the view region illuminated by the light from the source 16. The lamp 17 is thus energized only as necessary for recording the video signal and, as a result, energy consumption is minimized.” The patent further states that “[i]n accordance with the invention, the position of the lamp 17 is changed in accordance with the position of adjustment of lens 14.” Column 5, lines 48-50. Finally, it discloses that “a motorized control arrangement . . . may be provided for adjusting the zoom angle or effective focal length of the lens 14 . . .” Column 6, lines 6-9.

Thus, in the Yamada patent, the light source 17 is energized by the on-off circuit 19 when the recording switch is operated and the light source 17 is changed in position with changes in position of the lens 14 whose angle or focal length can be adjusted. However, there is no teaching or suggestion in the patent “to change the illuminating angle or direction of the flash device in accordance with the change in focal length until a mode of said recording device is changed to the still image mode”, nor is there any teaching or suggestion of restraining changing the illuminating angle or direction of the flash device or the focal length of an image forming optical system during the still image mode. As previously stated, the on-off switch 19 for the light source 17 is controlled based on the recording switch of the video camera and there is nothing taught or suggested as to controlling the light source or the focal length of an image forming system depending upon a still image mode.

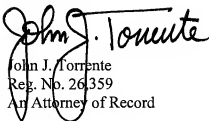
Applicant’s amended independent claims 5, 12, 22, 28 and 29, and their respective dependent claims, all of which recite such features, thus patentably distinguish over the

Yamada patent.

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Respectfully submitted,

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